

REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register: 21 July 1998
Name of applicant/court: The District Court at Blenheim
Applicant to the Labelling Body: Not Applicable
Title of Publication: Untitled
Other Known Titles: 3 pages (Exhibit 31)
Director: Not Applicable
Producer: Not Applicable
Publisher: Not Applicable
Author: Not Applicable
Format: Magazine Pages
Country of Origin: New Zealand
Language: English

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Components of film originally examined:

Feature:	Not Applicable	Running time:
Trailers:		Running time:
		Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

No Applicable.

Classification Decision:

Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

Display Conditions:

Not Applicable.

Descriptive Note:

... Please turn over

Not Applicable.

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Direction to issue a label has been given on Not Applicable

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SUMMARY OF THE REASONS FOR DECISION:

The untitled magazine pages are classified as:
Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

The publication consists of four printed pages in A4 size, removed from a magazine. The magazine pages contain three photographs of nude subjects, one of which is a full-colour centrefold portrait of a young woman. Black-and-white photographs on the reverse side, each almost a full page in size, show a family group and a couple engaged in holiday activities and seemingly unaware of the camera. These photographs, and associated advertisements for New Zealand nudist venues and an international naturist information centre, suggest that the magazine pages were originally part of a magazine produced for adherents of the nudist lifestyle. However, removed from this context, the male and female nudity depicted tends to acquire a sexual meaning.

The centrefold photograph, clearly intended for display as a 'pin-up' portrait, is of particular concern. While the photograph is not overtly sexual in nature, the camera's focus on the young woman's body and her exposed sexual parts produces a depiction which is likely to be viewed as sexually titillating. The Classification Office considers that the availability of the magazine pages to children or young persons is likely to be injurious to the public good.

The relevant provisions of the New Zealand Bill of Rights Act 1990 (NZBR Act) have been considered. The limitation of the availability of the magazine pages is intended to prevent injury to the public good and is regarded as a reasonable and justified restriction of the rights and freedoms set out in s14 of the NZBR Act.

OFLC Ref: 9800196